



UNITED STATES
CIVILIAN BOARD OF CONTRACT APPEALS

June 5, 2012

CBCA 1162-RELO

In the Matter of JUDITH H. SCHARF

Judith H. Scharf, Strullendorf, Germany, Claimant.

Brian C. Berry, Assistant General Counsel, Department of Defense Education Activity, Arlington, VA, appearing for Department of Defense.

DANIELS, Board Judge (Chairman).

Judith H. Scharf asked the Board to settle a claim against her former employer, the Department of Defense Education Activity (DoDEA), for relocation expenses. We issued our decision on July 1, 2008, denying the claim. *Judith H. Scharf*, CBCA 1162-RELO, 08-2 BCA ¶ 33,899.

The Board's Rules of Procedure permit the filing of requests for reconsideration – but only if those requests are filed promptly. Rule 407 states:

A request for reconsideration may be made by the claimant or the agency. Such requests must be received by the Board within 30 calendar days after the date the decision was issued (or within 60 calendar days after the date the decision was issued, if the claimant or the agency office making the request is located outside the 50 states and the District of Columbia).

48 CFR 6104.407 (2011).

On May 29, 2012, the Board received from Ms. Scharf a motion for reconsideration of the decision. The motion, which was written by her husband with her permission, acknowledges, "I dropped the ball and did not follow up with an appeal in time." This

acknowledgment is an understatement – the motion was not filed until nearly four years had passed since the date the decision was issued. Because nearly four years is significantly more than the sixty days permitted for claimants like Ms. Scharf who are located outside the fifty states and the District of Columbia, we dismiss the motion as having been filed much too late to be considered.

STEPHEN M. DANIELS
Board Judge